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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

'05-701 MO

ULTRA TRADING INTERNATIONAL
LTD., a Florida corporation,

CV No.:

TEMPORARY RESTRAINING ORDER

Plaintiff,

vs.

HAM LONG COMPANY, a Vietnam
corporation,

Defendant.

The Court has considered the ex parte motion for temporary restraining order pursuant to Rule 4(n)(2) and Rule 64 of the Federal Rules of Civil Procedure and Rules 83 and 84 of the Oregon Rules of Civil Procedure, against defendant Ham Long Company and garnishee U.S. Bank National Association, pending the hearing and determination of plaintiff's motion for writ of attachment and writ of garnishment, as set forth in the declaration of Moshe Schwartz, dated May 17, 2005, with attached copy of the summons dated May 17, 2005, and the complaint, dated May 17, 2005, in which it appears that there is an imminent threat of removal of the claimed property from this state or transfer to an innocent purchaser, before the hearing can be held.

On the basis of all pleadings and papers on file, it appears to the Court that there is probable cause to believe that plaintiff will suffer immediate and irreparable injury and damage before notice can be given and defendant and garnishee or their attorneys can be heard in opposition, and before a hearing can be held. The Court therefore finds that the temporary restraining order should be issued. Therefore,

IT IS ORDERED that:

1. Defendant, Ham Long Company, its officers, agents, employees, successors and attorneys, and all persons acting in concert with them, are enjoined and restrained from transferring any bill of lading with respect to the goods reflected on the Bills of Lading numbered VN1000 and VN1001; and

2. Garnishee bank, U.S. Bank National Association, its officers, agents, employees, successors and attorneys, and all persons acting in concert with them, are enjoined and restrained from making any payment with respect to Letter of Credit No. ILCPPDX03920, dated March 24, 2005, and from delivering to any person the original Bill(s) of Lading numbered VN1000 and VN1001; and

3. This temporary restraining order shall remain in place until the Court issues a ruling in conjunction plaintiff's motion for a writ of attachment and writ of garnishment, as scheduled below.

IT IS FURTHER ORDERED that Ham Long Company, defendant, appear before this Court in Courtroom No. 14A of the Mark O. Hatfield U.S. Courthouse at 1000 SW Third Avenue, Portland, OR, 97204-2902, on June 9th, 2005, at 9:00 a.m., or as soon thereafter as counsel can be heard, to show cause why this temporary restraining order should not continue during the pendency of this action. Defendant may file affidavits or declarations with the Court and may present testimony at the hearing; if defendant fails to appear at the hearing, either in person or by counsel, the Court, without taking further evidence, may immediately enter a preliminary injunction and issue orders of attachment and garnishment, in accordance with plaintiff's application; and

IT IS FURTHER ORDERED that U.S. Bank National Association, garnishee, appear before this Court on the date and time and at the place, as set forth in the above, for the hearing of plaintiff's motion, as set forth in the application of plaintiff; garnishee may file affidavits or declarations with the Court and may present testimony at the hearing; if garnishee fails to appear at the hearing, either in person or by counsel, the Court, without taking further evidence, may immediately enter a preliminary injunction and issue orders of attachment and garnishment, in accordance with plaintiff's application; and

IT IS FURTHER ORDERED that plaintiff, as a condition for obtaining this order, is required to post a bond, letter of credit, or cash deposit, in the sum of \$ 10,000⁰⁰ and

IT IS FURTHER ORDERED that a copy of this order shall be served forthwith on garnishee and promptly on defendant by transmittal to the defendant at its office in the Socialist Republic of Vietnam.

DATED this 19 day of May, 2005.


United States District Court Judge

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